REMARKS

In response to the Office Action dated January 15, 2009, the Assignee respectfully requests reconsideration based on the above amendments and on the following remarks.

Claims 1-8, 11-29, 31-50, and 52-63 are pending in this application.

Rejection of Claims under § 103 (a)

The Office rejected claims 1-5, 15-19, 22-26, 36-40, 43-47, and 57-61 under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent Application Publication 2004/0003279 to Beilinson, *et al.* in view of U.S. Patent Application Publication 2003/0217287 to Kruglenko and further in view of U.S. Patent Application Publication 2004/0125149 to Lapidous.

These claims, though, are not obvious over *Beilinson* with *Kruglenko* and *Lapidous*. These claims recite, or incorporate, features that are not disclosed or suggested by *Beilinson* with *Kruglenko* and *Lapidous*. All the independent claims, for example, similarly recite "*intercept a message for opening a window associated with a requested computer application, the message intercepted before receipt thereof by an operating system to prevent opening the window*" (emphasis added). All the independent claims also similarly recite "*when the requested computer application is matched to the list of restricted computer applications, then prohibit opening the window associated with the requested computer application to terminate the requested computer application*" (emphasis added). Independent claims 22 and 43 recite similar features.

Beilinson with *Kruglenko* and *Lapidous* does not teach or suggest all these features. As the Assignee has explained in previous responses, *Beilinson* restricts a user's access to specific computer functions. *See* U.S. Patent Application Publication 2004/0003279 to Beilinson, *et al.* at paragraph [0009]. *Beilinson* discloses user settings that may be established by an administrator. *See id.* at paragraphs [0007] – [0009]. Reports may be generated that describe

user activity, system usage, function usage, duration, and allowable hours of operation. *See id.* at paragraphs [0010], [0021], [0045], and [0049] – [0052]. *Beilinson* even explains that a content rating of a requested function may be considered before granting or denying the request. An example is provided of obtaining a content rating for a computer game that is being attempted to be accessed by a user. *See id.* at paragraph [0058]. The Office even concedes that *Beilinson* fails to teach or suggest "*intercept a message for opening a window associated with a requested computer application, the message intercepted before receipt thereof by an operating system to prevent opening the window*" (emphasis added).

The Office asserts that *Kruglenko* teaches the interception of messages. While *Kruglenko* discusses a hook procedure, *Kruglenko's* hook procedure intercepts keyboard messages, not "*a message for opening a window.*" Moreover, *Kruglenko's* hides windows associated with unapproved applications — *Kruglenko* does not prevent opening the window. The Office even concedes that the combined teaching of *Beilinson* with *Kruglenko* does not prevent opening of a window.

Now the Office proposes to combine *Lapidous* with *Beilinson* and *Kruglenko*. But the Office has misinterpreted *Lapidous*. The published application to Lapidous discusses a prior art "pop up blocker" that "prevents all popup windows from opening." *See* U.S. Patent Application Publication 2004/0125149 to Lapidous, *et al.* at [0011]. **Applications in a "white list" are permitted to open popup windows**. *See id.* (emphasis added). The only reasonable conclusion, then, is that *Lapidous* with *Beilinson* and *Kruglenko* uses this "white list" to permit/deny pop-up windows. The combined teaching of *Lapidous* with *Beilinson* and *Kruglenko* still only uses a hook procedure to intercept keyboard messages, not "*a message for opening a window.*" The proposed combination of *Lapidous* with *Beilinson* and *Kruglenko* does not teach what the Office asserts.

Moreover, the Office is ignoring the express teachings of *Lapidous*. The published application to Lapidous explains how a window is first opened and then "testing conditions" are applied to determine whether the opened window is a "pop up" window. *See* U.S. Patent

Application Publication 2004/0125149 to Lapidous, *et al.* at [0078]. *See also id.* at [0014], [0015], [0050], [0052], and [0076]. "If a new window is recognized as a pop up window," *Lapidous* determines "if the opening of the popup window can be canceled without retrieving content of this window." *Id.* at [0077]. *Lapidous'* explains "**the retrieval of the content is canceled and the new window is closed**." *Id.* at [0074] (emphasis added). Because *Lapidous* has already opened the window, the proposed combination of *Lapidous* with *Beilinson* and *Kruglenko* cannot "*intercept a message for opening a window associated with a requested computer application, the message intercepted before receipt thereof by an operating system to prevent opening the window*" (emphasis added). Again, then, the proposed combination of *Lapidous* with *Beilinson* and *Kruglenko* does not teach what the Office asserts.

Claims 1-5, 15-19, 22-26, 36-40, 43-47, and 57-61, then, cannot be obvious over *Beilinson* with *Kruglenko* and *Lapidous*. Independent claims 1, 22, and 43 recite many features that are not disclosed or suggested by *Beilinson* with *Kruglenko* and *Lapidous*. The respective dependent claims incorporate these same features and recite additional features. One of ordinary skill in the art, then, would not think that these claims are obvious over *Beilinson* with *Kruglenko* and *Lapidous*. The Office is respectfully requested to remove the § 103 (a) rejection of these claims.

Rejection of Other Claims under § 103 (a)

The Office rejected claims 6-8, 11, 20-21, 27-29, 31-32, 41-42, 48-50, 52-53, and 62-63 under 35 U.S.C. § 103 (a) as being obvious over *Beilinson* with *Kruglenko* and *Lapidous* and further in view of U.S. Patent Application Publication 2004/000307 to Mathew, *et al.*

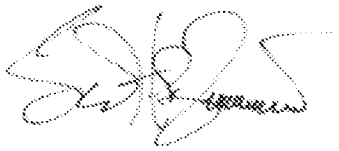
The Office rejected claims 12-13, 33-34, and 54-55 under 35 U.S.C. § 103 (a) as being obvious over *Beilinson* with *Kruglenko*, *Lapidous*, and *Mathew* and further in view of U.S. Patent 6,405,318 to Rowland.

The Office rejected claims 14, 35, and 56 under 35 U.S.C. § 103 (a) as being obvious over *Beilinson* with *Kruglenko*, *Lapidous*, and *Mathew* and further in view of U.S. Patent Application Publication 2002/0026605 to Terry.

These claims, however, cannot be obvious. These claims depend, respectively, from one of independent claims 1, 22, or 43. These claims, then, incorporate the same distinguishing features discussed above, and these claims recite additional features. Because the cited documents all fail to teach or suggest all the features of the independent claims, one of ordinary skill in the art would not think that these claims are obvious. The Office is respectfully requested to remove the § 103 (a) rejection of these claims.

If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or *scott@scottzimmerman.com*.

Respectfully submitted,



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